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SUBJECT: NGO'S IN KUWAIT: NEARLY GOVERNMENTAL ORGANIZATIONS

Classified By: AMBASSADOR RICHARD H. JONES, REASON 1.4(b)

1.(C) SUMMARY: Licensed NGOs in Kuwait are essentially quasi-governmental institutions funded, supported, and controlled in large part by the government rather than independent, autonomous organizations able to challenge the status quo or advocate for real social or political change. While some NGOs in Kuwait are innovative, professionally run, and provide invaluable assistance to target groups, others are over-funded and ineffective. GOK officials concede that many non-performing NGOs should be shut down and that they constitute a real drain on the government budget. Despite this, there does not appear to be any concerted effort or incentive on the part of the GOK to "privatize" the NGO sector by pulling the plug on the lavish subsidies and other support NGOs receive. The close government-NGO relationship is consistent with Kuwait's paternalistic, welfare state model of governance. Onerous licensing policies and restrictions on NGO activities are hindering the development of a more flourishing civil society in Kuwait. END SUMMARY.

No More Licenses

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2.(C) All NGOs in Kuwait must obtain a license from the Ministry of Social Affairs and Labor in order to operate officially and receive GOK funding. Poloff met with Ministry of Social Affairs and Labor Assistant Undersecretary Mohammed Ali Al-Kandari and other Ministry officials recently to discuss these licensing procedures. According to the Ministry, there are 52 official, licensed NGOs in Kuwait (whose total population is about 2.4 million). Ministry officials told Poloff privately that the Council of Ministers (Cabinet) specifically instructed the Ministry in a 1985 directive to &stop licensing NGOs as they constituted a substantial drain on GOK resources. Also, Ministry officials added, many NGOs were engaged in &redundant activities and were performing poorly. The Ministry has largely heeded the Council of Minister's request. Since 1985, the Ministry has issued only 6 new licenses to NGO's in Kuwait. The Ministry licensed only one NGO in 2003, the Kuwait Society for the Care of Children in Hospital. There are 92 NGOs currently pending licensing by the Ministry. Many have been waiting years for approval and Ministry officials admitted that, given the Council of Ministers, directive (which is still in force), it was unlikely that pending applicants would be granted licenses in the near future. Ministry officials told Poloff that, while the Ministry wants to be &liberal in its approach to NGO formation, the Ministry must be convinced that there is a real &need for a new NGO in order for it to qualify for an operating license.

3.(C) It appears that the GOK uses its power to license as a means of political and social control: groups interested in pursuing activities deemed contrary to GOK interests are simply not licensed. The Kuwait Human Rights Society (KHRS), the only human rights NGO in Kuwait, has been waiting for a government license since 1992. The Ministry claims the &normal8 waiting period for issuance of an operating license is one month. (Note: When asked why it has taken more than 10 years for this NGO to receive a license, Ministry officials had no clear answer other than there are &budgetary8 reasons for the delay. Ministry officials told Poloff that the KHRS probably would not/not be licensed in the near future. Various members of the KHRS informed us recently that Prime Minister Sheikh Sabah Al-Ahmed has promised that the NGO will receive a license soon. End Note). Without a license, the NGO cannot have its own official facility, obtain government funding, operate any official accounts, or dialogue directly and officially with the GOK on human rights issues. Potential donors are reluctant to provide funding to an unofficial entity that has no license. KHRS officials have told us they would not/not seek or accept government funding if they were licensed. Despite its unofficial status and largely due to the social and political prominence of a number of its Board members, the KHRS produces an annual report on human rights in Kuwait, publishes a quarterly magazine, and meets with some senior GOK officials. However, the NGO will remain limited in its ability to mobilize broad public awareness of human rights issues in Kuwait, such as the treatment of domestic servants, without official legal recognition.

4.(C) Official, licensed NGOs in Kuwait are heavily subsidized by the GOK, including subsidies for day-to-day operating expenses, special programs, and travel and per diem expenses for participation in international conferences. The GOK also allocates plots of land on which licensed NGOs can build their premises. For example, the Social Reform Society and its counterpart organization for women, both prominent and well-established Islamic NGOs, have spacious facilities and grounds in prime suburban areas. Ministry officials told Poloff that GOK benefits are so generous that they create dependency on the part of some NGOs and a real disincentive to improve operational performance. The Ministry added that it is &difficult8 (i.e., politically) to stop the subsidies once provided and that this, in part, is why only 6 licenses have been granted since 1985. Ministry officials admitted to Poloff that 25% of existing, official NGOs are &redundant8 in their activities and should be merged with other NGOs, while another 25% should have their licenses revoked due to poor performance and/or mismanagement.

Government Knows Best

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5.(C) As with licensing, the GOK uses its power over NGO purse-strings to control NGO activities. Members of licensed NGOs require GOK permission to attend international conferences. Licensed NGOs are prohibited from raising money through private channels (such as through fund-raising) although some may accept limited donations and collect minimal user fees to support certain activities. Only one well-known NGO for the disabled (according to the Ministry because of its high-profile work and widespread public recognition) was permitted to raise private funds to support its humanitarian activities. The vast majority cannot without express authorization from the Ministry. Licensed NGOs are prohibited from publishing articles or other written products without a separate license from the Ministry of Information. NGOs are also prohibited from deviating from the (often narrow) range of pre-determined, GOK-approved activities outlined in their charter. Deviation from these set activities can result in the revocation of an NGO's license.

6.(C) As a result of the onerous licensing situation, there are hundreds of unlicensed, unofficial civic groups, clubs and NGOs in Kuwait. These groups do not receive government subsidies and have no legal status. They are thus limited in their ability to raise broad public awareness on key issues or mount any significant challenge to government policy. One unlicensed civic group, the Kuwait Friendship Society, told Poloff recently that so long as the group's activities are not &controversial8 and remain focused on social and cultural events for the benefit of members only, the group may operate without government interference.

7.(C) COMMENT: As independent, critical members of civil society able and willing to challenge the government and serve as advocates for positive change, NGOs in Kuwait are in their infancy. The GOK's unofficial yet prevailing policy to curb licensing as well as its powerful control over NGO activities hinder the development of a more vibrant, independent NGO sector. For MEPI project planning in particular, it will be important to keep in mind the realities and limitations facing the NGO sector in Kuwait. Most licensed NGOs appear to be involved in social welfare-type activities, such as providing educational assistance to women and bidoon, funding daycare for children from lower-income families, and supporting the ill or elderly. Many are successful and contribute significantly to Kuwait's social welfare objectives. However, very few actively seek or have the capability to serve as voices for changes to Kuwait's democracy or human rights situation. If the Kuwait Human Rights Society does obtain an operating license soon as some of its members expect and if the GOK allows it to operate without any government funding, that will mark a significant opening for civil society. END COMMENT.

JONES